

UNITED STATES DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, DC

In the Matter of:

OXYGEN SYSTEMS, INC.

FAA Order No. 99-2

Served: March 4, 1999

Docket No. CP97SO0071

**ORDER DISMISSING APPEAL**

Respondent Oxygen Systems, Inc., filed a timely notice of appeal from the written initial decision of Administrative Law Judge Burton S. Kolko issued on October 5, 1998. Oxygen Systems was required to perfect its appeal by filing an appeal brief by November 30, 1998, under 14 C.F.R. §§ 13.233(c), 13.211(e) and 13.212(c).

Oxygen Systems has neither filed an appeal brief nor requested an extension of time in which to file an appeal brief. Also, Oxygen Systems has not replied to Complainant's motion to dismiss the appeal for failure to perfect. Accordingly, Oxygen Systems' appeal is subject to dismissal under 14 C.F.R. § 13.233(d)(2).

*THEREFORE, IT IS ORDERED THAT:*

Respondent's appeal is dismissed.

JANE F. GARVEY, ADMINISTRATOR  
Federal Aviation Administration



VICKI S. LEEMON<sup>1</sup>  
Manager, Adjudication Branch

Issued this 3rd day of March, 1999.

<sup>1</sup> Issued under authority delegated to the Chief Counsel and the Assistant Chief Counsel for Litigation by Memorandum dated October 27, 1992, under 49 U.S.C. § 322(b) and 14 C.F.R. § 13.202 (see 57 Fed. Reg. 58,280 (1992)) and redelegated by the Assistant Chief Counsel for Litigation to the Manager, Adjudication Branch, by Memorandum dated August 6, 1993.